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E-filed 9/14/06

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14 AMERICAN MOTORISTS INSURANCE COMPANY and
15 AMERICAN PROTECTION INSURANCE COMPANY

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22 IDEC CORPORATION

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IDE CORPORATION,

Plaintiff,

v.

AMERICAN MOTORISTS INSURANCE
COMPANY, INC., KEMPER NATIONAL
INSURANCE COMPANIES, AMERICAN
PROTECTIVE INSURANCE COMPANY, and
DOES 1 THROUGH 20, INCLUSIVE,

Defendants.

CASE NO.: CV 02-01723 JF (RS)

STIPULATION TO CONTINUE
SEPTEMBER 15, 2006 CASE
MANAGEMENT CONFERENCE TO
OCTOBER 13, 2006; DECLARATION
OF THOMAS S. FLYNN

Date: September 15, 2006
Time: 9:00 a.m.
Judge: Hon. Jeremy Fogel
Dept.: 3

1 Plaintiff IDEC Corporation and defendants American Motorists Insurance Company, Inc.,
2 and American Protection Insurance Company hereby stipulate to an Order continuing the
3 September 15, 2006 Case Management Conference ("CMC") until October 13, 2006.

4 As set forth in the Thomas S. Flynn Declaration, below, good cause exists for such an
5 Order because the Court ordered the September 15, 2006 CMC in anticipation of a Settlement
6 Conference before Magistrate Seeborg before that date. Magistrate Seeborg scheduled the
7 Settlement Conference for September 12, 2006. However, Magistrate Seeborg had to continue
8 the Settlement Conference because of an emergency motion on September 12, 2006.

9 Accordingly, the CMC is moot. Moreover, good cause exists to hear the CMC on October 13,
10 2006, as the Court will also hear IDEC's Motions to Strike and Dismiss on that date.

11 Respectfully submitted,

12 MAYNARD LAW OFFICES
13 DOUGLAS SCOTT MAYNARD

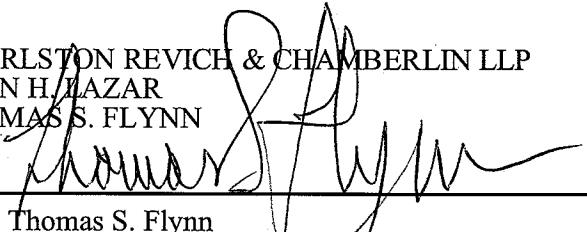
14 DATED: September , 2006

By: _____

15 Douglas S. Maynard
16 Attorneys for Plaintiff
17 IDEC CORPORATION

18 DATED: September 14, 2006

By: _____

19 CHARLSTON REVICH & CHAMBERLIN LLP
20 ALAN H. LAZAR
21 THOMAS S. FLYNN
22 By: 
23 Thomas S. Flynn
24 Attorneys for Defendants
25 AMERICAN MOTORISTS INSURANCE
26 COMPANY and AMERICAN PROTECTION
27 INSURANCE COMPANY

28 PURSUANT TO STIPULATION, IT IS SO ORDERED:

29 DATED: September 14, 2006

By: _____

30 HON. RICHARD SEEBOORG Jeremy Fogel
31 United States Magistrate Judge
32 District

1 Plaintiff IDEC Corporation and defendants American Motorists Insurance Company, Inc.,
 2 and American Protection Insurance Company hereby stipulate to an Order continuing the
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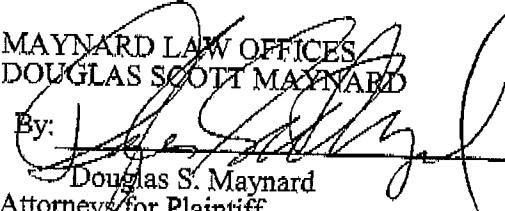
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 9 Accordingly, the CMC is moot. Moreover, good cause exists to hear the CMC on October 13,
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11 Respectfully submitted,

12
 13 DATED: September 14, 2006

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MAYNARD LAW OFFICES
 DOUGLAS SCOTT MAYNARD

By: 

Douglas S. Maynard
 Attorney for Plaintiff
 IDEC CORPORATION

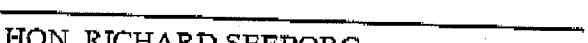
CHARLSTON REVICH & CHAMBERLIN LLP
 ALAN H. LAZAR
 THOMAS S. FLYNN

By: 

Thomas S. Flynn
 Attorneys for Defendants
 AMERICAN MOTORISTS INSURANCE
 COMPANY and AMERICAN PROTECTION
 INSURANCE COMPANY

PURSUANT TO STIPULATION, IT IS SO ORDERED:

DATED: September _____, 2006

By: 

HON. RICHARD SEEBOORG
 United States Magistrate Judge

DECLARATION OF THOMAS S. FLYNN

I, Thomas S. Flynn, declare as follows:

1. I am an attorney at law duly licensed to practice before all of the courts of the State of California, and before the United States District Court for the Northern District of California. I am an associate with Charlston, Revich & Chamberlin, LLP (“CRC”), attorneys of record for defendants American Motorists Insurance Company, Inc., and American Protection Insurance Company (collectively, “Defendants”). I have personal knowledge of the matters set forth herein. If called to testify to such matters, I could and would competently do so.

2. On August 4, 2006, this Court set a Case Management Conference (“CMC”) on September 15, 2006, and ordered the parties participate in a Settlement Conference before Magistrate Seeborg before that date.

3. On August 14, 2006, Magistrate Seeborg set the Settlement Conference on September 12, 2006.

4. On September 5, 2006, my colleague Alan Lazar notified me that Magistrate Seeborg took the Settlement Conference off-calendar. On September 14, 2006, I spoke with Magistrate Seeborg's secretary, who confirmed that on September 5, 2006, she had notified Mr. Lazar the Settlement Conference was off-calendar. She further stated that Magistrate Seeborg took the Settlement Conference off-calendar because he had to hear an emergency motion on September 12, 2006.

5. As a result, the September 15, 2006, CMC is moot.

6. Accordingly, defendants request that the Court continue the CMC to October 13, 2006, the date the Court will hear IDEC's Motions to Dismiss and Strike.

7. I spoke with Plaintiff's counsel, Douglas Scott Maynard, this morning. Mr. Maynard agreed to stipulate to continue the CMC until October 13, 2006.

Executed September 14, 2006.

I declare under penalty of perjury that the forgoing is true and correct.

Thomas S. Flynn